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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,146	08/27/2003	Messay Amerga	020670	7089

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QUALCOMM INCORPORATED
5775 MOREHOUSE DR.
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EXAMINER

NGUYEN, TU X

ART UNIT PAPER NUMBER

2618

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/650,146

Applicant(s)

AMERGA ET AL.

Examiner

Tu X. Nguyen

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments, dated 9/13/06, with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Solve et al. (US Patent 6,205,193).

Regarding claims 1, 4 and 18, Solve et al. disclose an apparatus, comprising a searcher for:

detecting a plurality of cells to form a ranked list (see col.11 lines 19-30) of monitored cells (see col.7 lines 37-38);

searching each cell from a first list of cells during each of a series of cycles (see col.14 lines 51-60); and searching each cell from a subset of a second list of cells during each of the series of cycles (see col.14 line 61 through col.15 line 5); and

a processor (see col.8 line 35-36) for:

ranking the list of monitored cells to form a ranked list of monitored cells (see col.11 lines 19-30); selecting the first list of cells from the ranked list of monitored cells (see col.14 lines 51-60); and selecting the subset of the second list of cells, the second list of cells comprising the remaining cells from the ranked list of monitored cells not selected in the first list of cells (see col.14 line 61 through col.15 line 5), and the selected subset varying during each cycle (see col.13 lines 36-40).

Regarding claims 2 and 5, Solve et al. disclose the processor further: compares the number of cells in the list of monitored cells to a pre-determined search number; and wherein: the ranking, selecting the first list, and selecting the subset of the second list is performed when the number of cells in the monitored list is greater than the pre-determined search number (see col.13 lines 25-40).

Regarding claims 3 and 6, Solve et al. disclose the processor directs the searcher to search each cell in the list of monitored cells when the number of cells in the monitored list is less than or equal to the pre-determined search number (see col.13 lines 25-40).

Regarding claim 7, Solve et al. disclose each subset selected from the second list is selected in round-robin fashion (see col.14 line 20 through col.15 line 25).

Regarding claim 8, Solve et al. disclose the cells are ranked in decreasing order of measured signal strength (see col.12 lines 36-47).

Regarding claim 9, Solve et al. disclose the detecting step is repeated with a minimum frequency according to one or more pre-determined refresh parameters (see col.14 lines 20-36).

Regarding claims 10 and 14, Solve et al. disclose the detecting step comprises one or more search types (see col.14 lines 20-36).

Regarding claims 11 and 15, Solve et al. disclose the detecting step comprises intra-frequency searching (see col.7 lines 35-42).

Regarding claims 13, 16-17, Solve et al. disclose the detecting step comprises inter-frequency searching (see col.7 lines 35-42).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is 571-272-7883.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



November 23, 2006